

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

EDDIE J. COMBS,

Plaintiff,

v.

CLARK COUNTY PROSECUTOR, et al.,

Defendants.

No. C11-5033BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 4) and Eddie J. Combs’s (“Combs”) objections to the R&R (Dkt. 5) and supplements thereto (Dkts. 6, 7, 8 & 9). The Court has considered the R&R, Combs’s objections and supplements, and the remaining record, and hereby adopts the R&R for the reasons stated herein.

On January 10, 2011, Combs filed a motion to proceed in forma pauperis on his civil rights complaint against Defendants alleging violations of 42 U.S.C. § 1983. Dkt. 1. On January 31, 2011, the magistrate judge issued an R&R recommending that the motion to proceed in forma pauperis be denied and the complaint dismissed without prejudice as Combs challenges the length of his sentence and amount of time spent in custody and therefore cannot proceed with such challenges in the form of a civil rights complaint. Dkt. 4.

1 On February 9, 2011, Combs filed his objections to the R&R (Dkt. 5) followed by
2 multiple supplements to those objections (Dkts. 6, 7, 8 & 9). To the extent Combs's
3 objections and supplements are legible, the Court cannot find any valid reason why the
4 magistrate judge's R&R should not be adopted. Combs's complaint seeks to alter a sentence
5 imposed against him in state court and fails to state any civil rights claims against
6 Defendants. Dkt. 1-1.

7 Therefore, it is hereby **ORDERED** that:

- 8 (1) The Court **ADOPTS** the R&R (Dkt. 4); and
9 (2) Combs's complaint is **DISMISSED without prejudice**.

10 DATED this 21st day of March, 2011.

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13 BENJAMIN H. SETTLE
14 United States District Judge
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